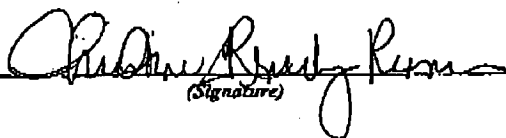


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|--|--------------------------|---------------------|------------------------------|--|
| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): KUMAR et al. | | | Docket No. RLL-509.2CIPUS | |
| Application No. 11/598,992 | Filing Date 3/17/2005 | Examiner Unknown | Group Art Unit 1626 | |
| Invention: CRYSTALLINE FORM OF ATORVASTATIN HEMI CALCIUM | | | | |
| <p>I hereby certify that this <u>Petition for Express Abandonment to Avoid Publication and Refund Request</u> <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-305-8568</u>)</p> <p>on <u>October 25, 2007</u> <small>(Date)</small></p> <p style="text-align: right;"> <u>Christine Kennedy-Renner</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>  <small>(Signature)</small> </p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> | | | | |

P18/REV02

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PTO/SB/24A (04-07)

Approved for use through 09/30/2007. OMB 0051-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR EXPRESS
ABANDONMENT TO AVOID
PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the
Pre-Grant Publication Division at (703) 305-8568
Or Mail the petition to:
Mail Stop Express Abandonment
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

| | |
|------------------------|-------------------------------|
| Application Number | 10/598,992 |
| Filing Date | 3/17/2005 (Int'l Filing Date) |
| First Named Inventor | KUMAR |
| Art Unit | 1626 |
| Examiner Name | Unknown |
| Attorney Docket Number | RLL-509.2CIPUS |

Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)

I hereby petition to expressly abandon the above-identified application to avoid publication.

Petition Fee - must be filed with petition to avoid delays in recognizing the petition.

- a. ☒ The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. 50-0912. I have enclosed a duplicate copy of this sheet.
- b. ☐ Check in the amount of \$ _____ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

**TO REQUEST A REFUND OF SEARCH FEE AND EXCESS CLAIMS FEE
(IF ELIGIBLE), PLEASE ALSO INCLUDE FORM PTO/SB/24B WITH THIS FORM**

- I am the: ☐ applicant.
- ☒ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☐ attorney or agent of record. Attorney or agent registration number is _____
- ☐ attorney or agent acting under 37 CFR 1.34, who is authorized under 37 CFR 1.138(b) because the application is expressly abandoned in favor of a continuing application. Attorney or agent registration number is _____

Signature

October 25, 2007

Date

George E. Heibel

609-720-5334

Typed or printed name

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Or Mail the petition to:
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| Application Number | 10/598,992 |
| Filing Date | 3/17/2005 (Int'l Filing Date) |
| First Named Inventor | KUMAR |
| Art Unit | 1626 |
| Examiner Name | Unknown |
| Attorney Docket Number | RLL-509.2CIPUS |

Petition for Express Abandonment Under 37 CFR 1.138(d) to Obtain a Refund

I hereby petition to expressly abandon the above-identified application to obtain a refund of any previously paid search fee and excess claims fee in the application. Please refund any search fee and excess claims fee paid in this application.

☒ The Director is hereby authorized to credit the fee(s) to Deposit Account No. 50-0912

NOTE: The provisions of 37 CFR 1.138(d) only apply to applications filed under 35 U.S.C. 111(a) on or after December 8, 2004. A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

TO AVOID PUBLICATION, INCLUDE FORM PTO/SB/24A AND PETITION FEE WITH THIS FORM.

I am the: ☐ applicant.

☒ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)

☐ attorney or agent of record. Attorney or agent registration number is _____

☐ attorney or agent acting under 37 CFR 1.34, who is authorized under 37 CFR 1.138(b) because the application is expressly abandoned in favor of a continuing application.
Attorney or agent registration number is _____



Signature

October 25, 2007

Date

George E. Helbel

Typed or printed name

609-720-5334

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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